

FILED
CLERK, U.S. DISTRICT COURT

JUN - 1 2018

CENTRAL DISTRICT OF CALIFORNIA

BY: RS DEPUTY

RELATED DDJ

Phillip Rosenblum BP-0331
FULL NAME

Corcoran State Prison
COMMITTED NAME (if different)

P.O. Box 3461
FULL ADDRESS INCLUDING NAME OF INSTITUTION

Corcoran Ca. 93217

PRISON NUMBER (if applicable)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Phillip Rosenblum

PLAINTIFF,

v.

Orange county Sheriff Dept. et al.

DEFENDANT(S).

CASE NUMBER

8:18-CV-00966-JVS-E

To be supplied by the Clerk

CIVIL RIGHTS COMPLAINT

PURSUANT TO (Check one)

☒ 42 U.S.C. § 1983☐ Bivens v. Six Unknown Agents 403 U.S. 388 (1971)

A. PREVIOUS LAWSUITS

1. Have you brought any other lawsuits in a federal court while a prisoner: ☒ Yes ☐ No
2. If your answer to "1." is yes, how many? 1

Describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on an attached piece of paper using the same outline.)

The lawsuit encompassed slander and other sadistic actions that violated the 8th Amendment of the U.S. constitution.

RECEIVED

CLERK, U.S. DISTRICT COURT

MAY 29 2018

CENTRAL DISTRICT OF CALIFORNIA

BY: _____ DEPUTY

- a. Parties to this previous lawsuit:

Plaintiff Phillip Rosenblum

Defendants Los Angeles County Law Enforcement

- b. Court United States District Court, Central District of California

- c. Docket or case number 2:17-cv-02898 JVS-E

- d. Name of judge to whom case was assigned District Court Judge Selna/Judge Erick

- e. Disposition (For example: Was the case dismissed? If so, what was the basis for dismissal? Was it appealed? Is it still pending?) ~~Dismissed~~ Dismissed as delusional/fanciful allegations.

- f. Issues raised: Government organized stalking leading to slander, harassment and violence

- g. Approximate date of filing lawsuit: May 2017

- h. Approximate date of disposition Sept. 2017

B. EXHAUSTION OF ADMINISTRATIVE REMEDIES

1. Is there a grievance procedure available at the institution where the events relating to your current complaint occurred? ☒ Yes ☐ No

2. Have you filed a grievance concerning the facts relating to your current complaint? ☒ Yes ☐ No

If your answer is no, explain why not See Exhaustion of Administrative Discussion

3. Is the grievance procedure completed? ☒ Yes ☐ No

If your answer is no, explain why not See Exhaustion of Administrative Discussion

4. Please attach copies of papers related to the grievance procedure.

C. JURISDICTION

This complaint alleges that the civil rights of plaintiff Phillip Rosenblum

(print plaintiff's name)

who presently resides at Corcoran State Prison, P.O. Box 3461, Corcoran Ca. 93217

(mailing address or place of confinement)

were violated by the actions of the defendant(s) named below, which actions were directed against plaintiff at

Orange County Jail, 550 N. Flower St. Santa Ana Ca. 92703

(institution/city where violation occurred)

on (date or dates) See actual complaint.

(Claim I)

(Claim II)

(Claim III)

NOTE:

- ## 1. Defendant

(full name of first defendant)

resides or works at

Orange County Jail, 550 N. Flower St. Santa Ana Ca. 92703

(full address of first defendant)

Count one.

Sheriff Deputy

(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both):

Explain how this defendant was acting under color of law:

Working as a deputy Sheriff for the county of orange.

- ## 2. Defendant

(full name of first defendant)

resides or works at

Orange County Jail, 550 N. Flower St. Santa Ana Ca. 92708

(full address of first defendant)

Count one!

Sheriff Deputy

(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both):

Explain how this defendant was acting under color of law:

working as a deputy sheriff for the county of orange

- ### 3. Defendant

(full name of first defendant)

resides or works at

Orange County Jail, 550 N. Flower St. Santa Ana Ca. 92703

(full address of first defendant)

Count one.

Sheriff Deputy

(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both):

Explain how this defendant was acting under color of law:

Working as a deputy Sheriff for the County of orange

Defendants

#4 Count one;
Count ~~two~~ Defendant - Deputy Blackstone

(address) Orange County Jail 550 N. Flower St. Santa Ana Ca. 92703

(position) Sheriff Deputy

is sued in ~~individual~~ individual capacity

(color of law claim) working as a deputy Sheriff for the County of Orange

#5. Count two: Defendant - Deputy Smith

(address) Orange County Jail 550 N. Flower St. Santa Ana Ca. 92703

(position) Sheriff Deputy

is sued in ~~individual~~ individual capacity.

(color of law claim) working as a Sheriff deputy for the County of Orange

#6. Count ~~two~~ two: Defendant - Deputy Porter

(address) Orange County Jail 550 N. Flower St. Santa Ana Ca. 92703

(position) Sheriff deputy

is sued in individual capacity

(color of law claim) working as a Sheriff deputy for the County of Orange

#7 Count two: Defendant - Deputy Serrano

(address) Orange County Jail 550 N. Flower St. Santa Ana Ca. 92703

(position) Sheriff deputy

(#7) is sued in individual capacity

(color of law claim) working as a sheriff deputy for the county of orange.

#8 ^{Count two; Defendant} ~~Defendant~~ Deputy Owens

(address) Orange County Jail 550 N. Flower St. Santa Ana Ca. 92703

(Position) Sheriff deputy

is sued in individual capacity

(color of law claim) working as a sheriff deputy for the county of orange

#9 Count two: ~~Defendant~~ Defendant; Sgt. Arrendondo

(address) Orange County Jail 550 N. Flower St. Santa Ana Ca. 92703

(Position) Sheriff deputy

is sued in individual capacity

(color of law claim) working as a sheriff deputy for the county of orange.

#10 Count three: ~~Defendant~~ Defendant; John Doe #4

(address) Orange County Jail 550 N. Flower St. Santa Ana Ca. 92703

(Position) Sheriff deputy

is sued in individual capacity

(color of law claim) working as a sheriff deputy for the county of orange.

#11 Count three: Defendant: John Doe #5

(address) orange county Jail 550 N. Flower St. Santa Ana Ca. 92703

(position) Sheriff deputy

is sued in individual capacity

(color of law claim) working as a sheriff deputy for the county
of orange.

4. Defendant See additional pages resides or works at
(full name of first defendant)

(full address of first defendant)

(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☐ individual ☐ official capacity.

Explain how this defendant was acting under color of law:

5. Defendant See additional pages resides or works at
(full name of first defendant)

(full address of first defendant)

(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both): ☐ individual ☐ official capacity.

Explain how this defendant was acting under color of law:

D. CLAIMS*

CLAIM I

The following civil right has been violated:

Count one, two, and three, the 8th Amendment of the U.S. Constitution has been violated.

Supporting Facts: Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be certain you describe, in separately numbered paragraphs, exactly what each DEFENDANT (by name) did to violate your right.

INTRODUCTION

1. Plaintiff makes aware that during a recent six month stint at Orange County Jail he suffered what is coined a "campaign of harassment." Witte v. Wisconsin Dept. of Corrections 434 F.3d 1031; Colburn v. Hargene 312 F.3d 730 (5th Cir. 2002). These certain acts done unto plaintiff in there isolation or in there total ~~are~~ are equivalent to a constitutional violation under the 8th Amendment of the U.S. Constitution. Some of there acts include but are not limited too: Deputy staff kicking cardboard cut-out penis at him underneath his cell door (see exhibit A1, A2. Screened back grievance, mentioning cardboard cut-out penis complaint dated July. 16.2017), Allowing Slander of his name by ~~attorney~~ ~~exterior~~ Deputy staff allowing inmates to graffiti: "Rosenblum is a snitch." on cell and shower door walls in plain view and then not removing it or painting over the graffiti (see exhibit B. Page 2 of ...

*If there is more than one claim, describe the additional claim(s) on another attached piece of paper using the same outline.

8

E. REQUEST FOR RELIEF

I believe that I am entitled to the following specific relief:

- Monetary damages according to proof or
- ~~the~~ 2.5 million in compensatory damages
- 2.5 million in punitive damages.

May 24, 2018

(Date)

Phyllis Rose

(Signature of Plaintiff)

"Introduction" continued:

... his letter to the Special Prosecutor at the Orange County District Attorney Office), tampering with his outgoing legal mail (see exhibit C-1, exhausted legal tampering complaint), ~~spitting~~ a deputy spitting on his personal items (see exhibit D-1, grievance Complaint of a deputy spitting on his items), retaliation cell searches, done illegally without purpose or suspicion other than retaliation (see exhibit E-1, retaliation by "Deputies" "Coming in my cell for intimidation, harassment and assaultive purposes," #3" of letter to the Office of Internal Affairs), ~~violating health and safety code provisions regarding inmate cell contamination with bodily contamination from urine, stool, blood, or other, or other means substance added to getting plaintiff sick have~~ ~~exhausted~~ ~~see inmate grievance no~~ ~~medical care~~ ~~denial of serious injury~~ ~~For injury to hand requesting medical care~~ ~~improper use of mechanical restraints during escorts of Plaintiff~~ (see exhibit H-1, copy of complaint concerning improper use of mechanical restraints) and then setting up Plaintiff to fight against known enemies and ~~using excessive force~~ ~~then~~ ~~deputies~~ using excessive force against Plaintiff resulting in further serious injury. (see exhibit I-1, and J-1, Setup Fight Complaints, and excessive force used [Exhibit I-1, complaint from July 4, 2017, and exhibit J-1 Complaint from Aug. 28, 2017]), and lastly making a

thunderstorm of noises such as gun shots noises with doors and other sound crashing noise platforms to cause fear in an intent to annoy, harass, and terrorize plaintiff, (see exhibit ^{F-1} ~~RA~~, Page Out of Internal Affairs Complaint, complaining of Staff making orchestrations of noise).

2. Because plaintiff's claims became so voluminous and numerous plaintiff does omit some of them to preserve focus of this matter, in which complaints discussed in this matter warrant recognition versus claims intentionally overlooked to conserve judicial resources herein.

3. Plaintiff also makes aware he exhausted all of these claims under state law by filing a board of control form, with the County board of control office (Did not include exhibit ~~RA~~, rejection notice by County board of control of state law claims.)

4. Plaintiff points out there are stacks of grievances he filed within the Orange County Sheriff Department Office of Internal Affairs and Orange County District Attorney Office, to display he exhausted the administrative process (other than the grievances that ~~are~~ ~~display~~ are within the Orange County Sheriff Department to display he exhausted ~~complaints~~ unto the complaints he filed concerning these matters).

Complaint

2

11

COUNT ONE - THE SET-UP FIGHTS

5. Plaintiff when he arrived at Orange County Jail back in the month of May of 2017 informed a Sheriff Deputy Rigby, he had numerous enemies in the main jail and could not be safely housed back there with these enemies. To ensure his safety Dep. Rigby housed Plaintiff in J-mod unit, a segregated unit where Plaintiff would be behind protective glass, ~~which~~ ~~the~~ ~~was~~ protecting his cell and himself from attack by his enemies. In the main jail there are just cell bars, in which opponents can reach through and strike each other through the bars, the protective glass in J-mod prevents a strike by ~~an~~ an opponent from happening.

6. In the month of November 2016, Plaintiff while out of custody went down to the Office of Internal Affairs for Orange County and filed in person complaints. The complaints stated during his previous incarceration in the jail, he was housed in the main jail, and deputy staff through willful negligence allowed inmates to try and attack him, by jumping off a 2nd tier to the 1st tier (where Plaintiff was housed) and reaching through Plaintiff's cell bars and trying to razor slice ~~in~~ him with manufactured weapons. The attacks on Plaintiff happened on separate occasions. The inmates who performed the attacks were, J.J. Renteria, Alfredo McKinno, and inmate Dragnes. Both Renteria and McKinno used ~~weapons~~

Complaint

}

an ~~the~~ inmate manufactured weapon with razors attached to the end of it to try and slice plaintiff through the bars. The razor slice attacks failed and so both inmates either spit at plaintiff or threw urine or feces at plaintiff, these attacks except for the spitting failed. The Renteria attack lasted only a couple of minutes but the McKinno attack lasted approximately five to ten minutes.

7. On June 30, 2017, while housed back in J-mod, due to reckless deputies he was ~~re-housed~~ re-housed for no purpose back in the main Jail, ~~with~~ with his known enemies. The first known enemy plaintiff was re-housed with was another opponent of his Michael Baker. This was reckless error since plaintiff is a confidential informant in Michael Baker's criminal case who tells everyone plaintiff is a rat [It is noted Michael Baker was accused of killing his Grandmother] On July 2, 2017, and July 3, 2017, plaintiff submitted formal grievances in writing to be moved away from Michael Baker and the other known enemies housed in the main Jail, and to be re-housed back in J-mod behind the protective glass away from potential attack. These grievances were ignored, never answered in writing, done intentionally to avoid liability, and allow violence to occur.

8. On July 4, 2017, plaintiff was moved out of the housing unit that had Michael Baker in it, but was moved/re-housed on the direct Complaint

housing tier as his previous assailant known enemy Alfredo McKinnon. Plaintiff approached McKinnon's cell, and a fight broke out between them, deputies finally responded to this incident and ~~and~~ they interrupted the fight. Plaintiff after this fight, still in the same day of July 4, 2017, was next re-housed in the main jail on the direct tier as his known enemies J.J. Renteria and inmate Dragnos. Plaintiff approached inmate ~~Dragnos~~ J.J. Renteria and immediately a fight broke out. Inmate Dragnos helped out J.J. Renteria in the fight by hitting Plaintiff multiple times in the top of the head with a homemade stick that resembled the length and width of a mini-bat or a pipe. This caused Plaintiff much disorientation and is equivalent to serious injury. Responding deputies eventually interfered with the fight stopping the incident.

9. The next set-up fight occurring on the direct tier of the main jail happened against known enemy Michael Baker. On Sept. 23, 2017, the plaintiff was rehoused on the same tier with Baker, and Plaintiff approached his cell and of course a fight broke out between them.

10. Plaintiff is unsure what housing deputies moved Plaintiff in direct proximity of his known enemies but discovery should uncover these ~~deputies~~ ~~deputies~~ deputies who controlled these set-up

Complaint

Fights. And then liability will prevail accordingly. For now they will be John Doe #1, John Doe #2, John Doe #3, even though assuringly there was more deputies in charge of these set-up fights, or had the authority to prevent them from occurring. For instance like the supervisors who ignored his grievances he submitted on July 2, 2007, July 3, 2017, to be kept separate from these inmates.

11. It should be made aware that Orange County Jail deputy staff has a pattern and history of setting inmates up to fight and disregarding grievances alike as manifested by the A.C.L.U.'s lawsuit detailed lawsuit against Orange County Jail Staff. See on-line news coverage of this

12. The next set-up fight authorized plaintiff to be razor sliced from behind on his forearm. This known enemy inmate Raymond Boykin, graffiti'd "Rosenblum is a snitch," on the shower walls. Assisted in creating cardboard cut-out penises placed in front of plaintiff's cell door for harassment purposes. And engaged plaintiff in numerous trash talking episodes ~~for~~ for harassment purposes, while plaintiff was housed in the main Jail administrative segregation (due the set-up fights he was involved in and other miscellaneous write-ups he received). The set-up fight with Boykin occurred on Aug. 28, 2017, during

Complaint

6

15

morning time courtroom transfer. A deputy Blackstone already on Aug. 24, 2017, due to a shouting match in front of ~~Blackstone's~~ ^{Boykin's} cell door pulled plaintiff by his shirt collar off his door front. So Blackstone was aware of the tension between them. Instead of keeping them separate on Aug. 28, 2017, during the escort for court, Deputy Blackstone authorized both plaintiff and Boykin to walk right near each other, plaintiff was cuffed behind his back, ~~and~~ without defense, and Boykin was in waist chain cuff, making striking an availability for him. Deputy Blackstone allowed ~~him~~ Boykin during the escort to stand directly behind plaintiff in an elevator after Boykin walked behind plaintiff down an escort passage that was without camera's. Deputy Blackstone turned and walked away from plaintiff and Boykin and left the two unmonitored inside the elevator, and Boykin reached out and sliced plaintiff's back forearm with a razor blade.

COUNT TWO, EXCESSIVE FORCE

13. On July 4, 2018, ~~during~~ after the second fight of the day the ~~the~~ sheriff's Deputies, Smith, Porter, Serrano (maybe others) used excessive force on plaintiff during the restraining process. Plaintiff was already hit with a homemade stick in the head multiple times during this set-up fight with his known enemies. The deputies while escorting plaintiff off the tier ~~and~~ applied

Complaint

breaking pressure to his wrist, causing a fracture and nerve damage to his right thumb area and wrist area. In addition to that these deputies hit Plaintiff in the head (off camera) while going down the stairs, and slammed his face against the wall (on camera).

14. The next episode of excessive force occurred by Deputy Blackstone from the Aug. 28, 2017 set-up fight. After Plaintiff was sliced from behind by inmate Boykin, Plaintiff proceeded to kick at the wailing Boykin. Deputy Blackstone slammed Plaintiff's head into the elevator. Then the handcuffed behind his back Plaintiff kicked again at Boykin who was now sitting down on the ground. Dep. Blackstone, then grabbed the Plaintiff by the back of his head, toppled him, slamming him face first into the ground, causing six of his teeth to break, fracturing his jaw, and also causing a split in his chin needing four stitches.

15. The next excessive force occurred by Deputy Blackstone again and a Deputy Owens on Sept. 27, 2017. On this date off digital camera in front of a Sgt. Arrendato (the lack of filming was intentionally done). Both Dep. Owens and Dep. Blackstone came inside of Plaintiff's cell, and slammed him to the ground, hitting him multiple times on the ground

Complaint

attacking Plaintiff in his spine and slamming his head into the ground. It is alleged Sgt. Arrendondo authorized this excessive force, because the cell extraction Dep. Owens and Dep. Blackstone performed was required to be on camera, but was intentionally not done, and the Sergeant was required to film the extraction but did not.

COUNT THREE - CAMPAIGN OF HARRASSMENT

16. Plaintiff in the "Introduction" Paragraphs of this complaint, listed a swarm of harrassment and other bad acts that in isolation or in the culmulative violates the constitution. However due the multitude of these actions and Potential myriad amount of employees, this "Campaign of harrassment" should wait for discovery to ensue to establish what can be properly proved and pleaded ~~through~~ through identification of evidence and the appropriate defendants. This will conserve judicial resource, and narrow the litigation accurately. Count three has two unknown defendants in it for service purposes, John Doe #4 and #5.

CONCLUSION

17. In the event the court adjudicates any of these claims do not violate the U.S. Constitution, a remand back to state court should issue.

Complaint

Plt. J. Rose
May. 24, 2018



Exhibit A-#19

SHERIFF DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

JI#

☐ N/A

SANDRA HUTCHENS, SHERIFF - CORONER

GRIEVANCE / GRIEVANCE APPEAL FORM

(Circle One)

Inmate's Name Philip R. Rouse Booking Number 2996969
 Housing Location MJ-0152-150-3 Date July 16 2017
 Date of Incident July 15, 2017 Time of Incident 1:00 PM - 1:30 PM Location of Incident Disp. 150-MJ-3
 Is grievance related to a disability? **Yes** **No** (Circle one)

Details of Incident (One Incident Per Form. Include dates, times, and names of those involved.)

Details should be brief and contained in this area

Grievant is being heavily harassed by inmates and deputy staff. Fueled by deputy staff who constantly hover in the vicinity, slandering her character. On July 14, 2017, starting at about 2:00 PM, inmate Boykin, inmate Spurlock, Bays, showed obscenities to him and made intimidating remarks. Then in the evening hours of after 8:00 P.M., both Spurlock and Boykin, slid out of their door for quite some time - pictures of men, and cardboard cut-out penis figures. After shower time on July 15, 2017 at about 5:30-6:00 AM, Spurlock had Boykin fill out a medical slip in grievant's name, claiming he was suicidal, and threatening an officer. Boykin and Spurlock then fished the medical slip on the floor, when the morning nurse came in, they tricked her into thinking it was from grievant. And he was ultimately later on seen by a psych-tech and again explained the episode. Deputy main who accompanied the morning nurse refused to investigate the matter. Other acts of misconduct have occurred by staff equivalent to retaliation and harassment in that main Jail. Disciplinary and removal of staff is needed to prevent further harassment.

STAFF RESPONSE

Continue to Page 2 attached

Inmate Signature Phil R. Rouse Date July 16, 2017 Time 7:00 PM
 Received By _____ Date _____ Time _____
 Assigned To _____ Staff Name & PID # (Please Print) _____ Date _____
 Response Returned to Inmate By _____ Date _____

☐ Handled as Inmate Request

Do not write below this line. For official use only.

Copies (JI# Only)

1. Original scanned to Grievance Program.
2. Photo copy to inmate after signing (attesting to receiving form).
3. Photo copy to inmate when returning response.
4. Original to Jail Inmate Record File

- ☐ Grievance
- ☐ Appeal Grievance
- ☐ Inmate Services
- ☐ Personnel Complaint
- ☐ Medical
- ☐ Appeal Discipline

- ☐ Intake/Release Center
- ☐ Central Men's Jail
- ☐ Central Women's Jail
- ☐ James A. Musick
- ☐ Theo Lacy Facility

Exhibit A-2#20

Grievance continued:

Page 1

Deputy Harris on July 5, 2017 at approximately 8:30 p.m. Came in grievant's cell while on full privileges, and removed unnecessary items and searched his cell very messily. Just two days later on July 8, 2017 Deputy Owen at approximately 3:30 a.m., while grievant was sleeping, came all the way inside his cell, threatened to assault him, pulled him out of bed, and then searched his cell by throwing things all over the place. On July 8, 2017, during supper pass out, (after denying grievant previous medical attention) Deputy Monroe and grievant engaged in a verbal exchange where Deputy Monroe threatened to "beat grievant to death." And lastly and very bizarre is where the cardboard cutout penis, were pushed into his cell by Dep. Verna twice while grievant was sleeping. Grievant awoke saw the cut-out half under his door and pulled it in his cell. Then grievant went back to bed and Verna during his security check again slid another larger cut-out penis into grievant's cell. The approximate time of this grievant believes is between 1:00 a.m. - 1:30 p.m. Video evidence is requested from this happening by Verna on July 15, 2017. These staff complaints fall under Penal code 832.5. Tampering with Food trays should be noted too.

[Signature] 7-15-17

24

Exhibit B-1
Dear Special Prosecutor

This letter is written in regards to severe criminal constitutional violations that have heavy weight at now.

First off on July 2, 2017 & July 3, 2017, I submitted grievances to be kept away from known enemies, whom tried to cut my face, the jail staff ignored them entirely, and instead hurt me on two occasions on the same day right next to them, resulting in two separate bouts involving multiple weapons being used and excessive force, causing serious injury that was ignored. (occurring July 4, 2017).

Next they authorized another act of violence on Aug. 28, 2017, by transporting me with a known enemy of mine, who sliced me with a razor blade from behind and then the supervising deputy used excessive force on me by slamming me into the ground and breaking at least 6 of my teeth, stitches, etc. Additionally they had the audacity to deny seeing a razor blade even though it's on camera.

Again they facilitated another predictable fight on Sept. 23, 2017, by having me over my multiple objection, next to Michael Boter, who tells everyone I'm a rat, due paperwork showing I'm a C.I. on his criminal matter (accused of killing his grandmother). And then a fight breaks out right away between us.

Additionally I have documentation of approximately 20 acts of food tampering, deputy spitting all over my items on camera, complete denial of law library

Exhibit B-2

Special Prosecutor letter

Research, and outdoor Recreation for months straight.

Denial of medical care, including spending Court orders for such,

Psychological harassment tactics by staff, and other acts of abuse/excessive force.

Character slanders, graffiti, sexual harassment, and other attempts to place

me next to known enemies of mine, and other acts of stalking by deputies.

Announcers of eavesdropping and entrapment.

Retaliation searches of my cell up to approximately 7 to 8 times. (more than anyone else in the jail)

Illegal use of mechanical restraints for harassment purposes.

Repeated mail tampering and interception.

* Most of my complaints have been so inadequately, absurd, overlooked, disregarded, failure to investigate, it now mandates immediate attention by the D.A. office for an ethical oversight and investigation.

Sincerely,

Phillip Rosenblum Bkg # 2096969

Philip O'Keefe

O.C. Jail

550 N. Flower St.

Santa Ana, Ca. 92703

22



OFFICE OF THE
DISTRICT ATTORNEY
 ORANGE COUNTY, CALIFORNIA
 TONY RACKAUCKAS

JIM TANIZAKI
 CHIEF ASSISTANT D.A.

JOSEPH D'AGOSTINO
 SENIOR ASSISTANT D.A.
 GENERAL FELONIES/
 ECONOMIC CRIMES

MICHAEL LUBINSKI
 SENIOR ASSISTANT D.A.
 SPECIAL PROJECTS

JAIME COULTER
 SENIOR ASSISTANT D.A.
 BRANCH COURT OPERATIONS

SCOTT ZIDBECK
 SENIOR ASSISTANT D.A.
 VERTICAL PROSECUTIONS/
 VIOLENT CRIMES

JENNY QIAN
 DIRECTOR
 ADMINISTRATIVE SERVICES

SUSAN KANG SCHROEDER
 CHIEF OF STAFF

October 27, 2017

Phillip Rosenblum
 Booking #2996969
 Orange County Jail
 550 N. Flower St
 Santa Ana, CA 92703

Dear Mr. Rosenblum,

The Orange County District Attorney's Office is receipt of your letters dated September 16, 2017 and September 27, 17. In reviewing your court record ("Vision"), it appears you have been provided a private investigator. Please provide the details of your allegations to him, including specific dates and times of the alleged incidents, along with the names of the parties involved, if you know them, and any evidence you have in your possession to corroborate your allegations. Additionally, if you have reported the incidents to the Jail Sergeant, please provide your investigator with that information, as well. If you have not made any formal complaints to the Jail Sergeant, then you should consider doing so in order to make them aware of your plight. Lastly, the grievances alleged with regard to the Jail's failure to follow the Court's orders should be addressed in court, after giving proper notice to the County Counsel.

Sincerely,


 Special Prosecutions Unit
 Orange County District Attorney's Office

REPLY TO: ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE

WEB PAGE: <http://orangecountyda.org/>

☒ MAIN OFFICE
 401 CIVIC CENTER DR W
 P.O. BOX 808
 SANTA ANA, CA 92701
 (714) 834-3600

☐ NORTH OFFICE
 1275 N. BERKELEY AVE.
 FULLERTON, CA 92832
 (714) 773-4480

☐ WEST OFFICE
 8141 13TH STREET
 WESTMINSTER, CA 92683
 (714) 896-7261

☐ HARBOR OFFICE
 4601 JAMBOREE RD.
 NEWPORT BEACH, CA 92660
 (949) 476-4650

☐ JUVENILE OFFICE
 341 CITY DRIVE SOUTH
 ORANGE, CA 92668
 (714) 935-7624

☐ CENTRAL OFFICE
 401 CIVIC CENTER DR. W
 P.O. BOX 808
 SANTA ANA, CA 92701
 (714) 834-3952

23



Exhibit C

SHERIFF DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

JI# MJ072817/2300

Facility: Central Men's Jail

SANDRA HUTCHENS, SHERIFF-CORONER

RESPONSE TO INMATE / DETAINEE GRIEVANCE

RESPONSE TO INMATE / DETAINEE GRIEVANCE

Inmate's Name Phillip Rosenblum Booking Number 2996969
Housing Location MJ DI DI 03 Date Grievance Received 07/27/2017
Date / Time of Incident 07/15/2017 05:00 PM Location of Incident Dis-Iso
Your Grievance has been assigned to Sergeant Rupley

SYNOPSIS OF GRIEVANCE FILED

Inmate mailed 2 letters to the U. S. District Court and they never arrived. He would like to know where the letters are.

STAFF RESPONSE TO GRIEVANCE FILED

I/M Rosenblum,
I have personally checked with the mailroom and have not located the letters you stated you mailed to US District Court. They also do not have any return mail from USPS regarding your letters. In the past, I have experienced inmates who mail letters out either do not send them to the correct address or do not include enough postage on the letters. I'm not saying this is the case here, however if it is the return process of your letters could take up to 4 weeks to get back to you. -Sgt. Rupley #5885



Exhibit D #25

**SHERIFF DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA**

JI# MJ091217/2220

Facility: Central Men's Jail

SANDRA HUTCHENS, SHERIFF-CORONER

RESPONSE TO INMATE / DETAINEE GRIEVANCE

RESPONSE TO INMATE / DETAINEE GRIEVANCE

Inmate's Name ROSENBLUM, PHILLIP Booking Number 2996969
Housing Location MJ DI DI 03 Date Grievance Received 09/12/2017
Date / Time of Incident Location of Incident
Your Grievance has been assigned to Sergeant VanPatten

SYNOPSIS OF GRIEVANCE FILED

Inmate Rosenblum alleges Deputies threatened inmate, searched him inappropriately when he was returning from Attorney Bonds, searched his property without reason and spit on the property that was removed.

STAFF RESPONSE TO GRIEVANCE FILED

A thorough investigation was conducted into the multiple allegations of staff misconduct made by Inmate Rosenblum in this incident. After reviewing handheld and surveillance camera footage it was determined none of the allegations of misconduct in this incident could be substantiated. In fact, it appeared all staff members acted appropriately and within department policy. No further action will be taken.

25

Attn: Internal Affairs.

Very unauthentic, and no longer acceptable is the flagrant disregard for my grievances over these serious misconduct issues being ignored, unanswered, or not notifying me.

Please address the following to your senior assistant or captain, and provide me with immediate notification and further exhaustion option,

1. M5091217/2220 - Spitting on my items, physically suggestive search, etc... all on camera - Not answered yet.
2. M5081817/0130 - Continuing of known enemies jumping off tier, trying to cut my face - Complaints filed to be kept away and again still placed in vicinity resulting in weapons used against me, excessive force, and then a medical cover-up.
3. Complaint about Dep. Owen's on 4 different occasions coming in my cell, for intimidation, harassment, and assaultive purposes (I have dates & times). That I mailed out to you via public defender!
4. Placing me next to known enemy Michael Baker, who I'm a c.i.o., and who tells everyone I'm a rat, and of course a fight breaks out.
5. Aug. 28, 2017, authorization of a razor slice attack from behind, and excessive force resulting in serious multiple injury, being denied an a camera. Multiple complaints/grievances not logged or answered.

Phillip Resenblum

O.C. Jail

BK9

#2996969

Disp-ISO-IRC-7

Phil J. Rose

26

Dec. 29, 2017

Exhibit F

ATTN: OFFICE OF INTERNAL AFFAIRS

It seems as though Complainant has been filing complaints against the O.C. Sheriff Dept. since the beginning of time. To no avail, your staff ~~was~~ remained at a perpetual conspiring maliciously following credible threat level, in disgusting and despicable derisive, alienating, and abusive attitudes and actions often.

This new complaint amounts to a fury of antagonistic violent sound attack, with intent to cause physical and mental injury. This disturbing behavior was done in a thunderstorm rapid fire sadistic sound attack, that would have been construed only as heinous by any reputable passerby however was ignored by multiple staff. Thus liability needs ensue accordingly.

For months, as was the powers-to-be, evil-minded plan, Complainant was placed in insane housing conditions where he was targeted by staff and inmates for slander and violence. This became the sick game the staff played against him, everytime I would return to the jail. To create a hostile, guilt filled atmosphere, to induce paranoia and anxiety by facilitating slander and violence was the deceitful plan, that was continually attempted. From any angle and play through unadulterated ignorance one could possibly cause with mean-spirited device.

This mention describes the pattern that occurred at



**SHERIFF DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA**

Facility: Central Men's Jail

SANDRA HUTCHENS, SHERIFF-CORONER

RESPONSE TO GRIEVANCE APPEAL

RESPONSE TO GRIEVANCE APPEAL

| | | | |
|--|---------------------------|----------------------|-------------------|
| Inmate's Name | <u>Rosenblum, Phillip</u> | Booking Number | <u>2996969</u> |
| Housing Location | <u>MJ DI</u> | Date Appeal Received | <u>09/25/2017</u> |
| Date / Time of Incident | | Location of Incident | |
| Your Grievance has been assigned to Lieutenant | | <u>VanPatten</u> | |

SYNOPSIS OF GRIEVANCE APPEAL

Inmate Rosenblum's complaint is for not being prescribed a sufficient amount of pain medication for his injury. He would also like an MRI done on his hand.

STAFF RESPONSE TO GRIEVANCE APPEAL

Sgt. Rupley forwarded your grievance to Correctional Health Services who answered your original grievance. Correctional Health Services stated: "You have been seen by multiple providers related to your concern and been given direction on how to access OTC medication through commissary. If you are still having issues related to this concern beyond what was discussed with the medical staff, please submit a medical message slip to be seen by the medical personnel." Your grievance has been addressed and is therefore your appeal is denied.



Exhibit H

SHERIFF DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

JI#

☐ N/A

SANDRA HUTCHENS, SHERIFF - CORONER

GRIEVANCE / GRIEVANCE APPEAL FORM

(Circle One)

Inmate's Name Philip Rosenberg Booking Number 2996969
Housing Location MJ-DJP-100-3 Date Sept. 18, 2017
Date of Incident cont. dates Time of Incident 7:00 a.m. Location of Incident Court transfer
Is grievance related to a disability? Yes ☒ (Circle one)

Details of Incident (One Incident Per Form. Include dates, times, and names of those involved.)

Details should be brief and contained in this area

This is an appeal of grievance log # MJ090217/0942.
Off. Silva did not answer his constitutional complaint, officers being
denied access to the restroom. He offered up justification
with log. time support, for why officers, simply due
some unusual episode manufactured by staff as his
hole placement would require wearing restraints to court
only, in fear of him not having any aggressive behavior
at court or on the bridge there. Thus still an
investigation needs to transpire, a reconsideration of
the original constitutional nature of his scenario
decided, and damages assessed accordingly.

STAFF RESPONSE

Inmate Signature Philip Rosenberg Date Sept. 18, 2017 Time 8:00 P.M.
Received By SGT. B. GUNSONEY 5414 Date 9/16/17 Time 2200
Assigned To _____ Date _____
Response Returned to Inmate By _____ Date _____
☐ Handled as Inmate Request

Do not write below this line. For official use only.

Copies (JI# Only)

1. Original scanned to Grievance Program.
2. Photo copy to inmate after signing (attesting to receiving form).
3. Photo copy to inmate when returning response.
4. Original to Jail Inmate Record File

- ☐ Grievance
- ☐ Appeal Grievance
- ☐ Inmate Services
- ☐ Personnel Complaint
- ☐ Medical
- ☐ Appeal Discipline

- ☐ Intake/Release Center
- ☐ Central Men's Jail
- ☐ Central Women's Jail
- ☐ James A. Musick
- ☐ Theo Lacy Facility

29



SHERIFF DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

J# MJ081817/0130

Facility: Central Men's Jail

SANDRA HUTCHENS, SHERIFF-CORONER

RECEIPT OF INMATE / DETAINEE GRIEVANCE

RECEIPT OF INMATE / DETAINEE GRIEVANCE

Inmate's Name ROSENBLUM, PHILLIP Booking Number 2996969
Housing Location MJ DI DI 03 Date Grievance Received 08/16/2017
Date / Time of Incident 07/04/2017 09:45 AM Location of Incident Dis-Iso
Your Grievance has been assigned to Sergeant Arredondo

SYNOPSIS OF GRIEVANCE FILED

On July 4, 2017, Rosenblum was involved in 2 fights. He is claiming deputies slammed his head against the wall and hit him on the side of his body when being escorted down from the top tier.

THIS NOTICE SERVES ONLY TO DOCUMENT RECEIPT OF THE ABOVE GRIEVANCE. IT DOES NOT CONTAIN ANY STAFF RESPONSE OR RESOLUTION TO THE GRIEVANCE YOU HAVE FILED. STAFF INVESTIGATIONS INTO YOUR GRIEVANCE SHALL BE COMPLETED IN A REASONABLE TIME. REASONABLENESS WILL BE BASED ON THE TYPE AND SCOPE OF THE GRIEVANCE SUBMITTED. YOU WILL RECEIVE A WRITTEN RESPONSE UPON RESOLUTION OF THIS GRIEVANCE.

PER PBND, ALL GRIEVANCES FILED BY AN I.C.E. DETAINEE MUST BE ACTED ON WITHIN FIVE (5) WORKING DAYS OF RECEIPT.

36



**SHERIFF DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA**

Facility: Central Men's Jail

JI# MJ090517/1320

SANDRA HUTCHENS, SHERIFF-CORONER

RESPONSE TO GRIEVANCE APPEAL

RESPONSE TO GRIEVANCE APPEAL

Inmate's Name ROSENBLUM, PHILLIP Booking Number 2996969
Housing Location MJ DI DI 03 Date Appeal Received 11/20/2017
Date / Time of Incident 08/28/2017 06:00 AM Location of Incident
Your Grievance has been assigned to Lieutenant Gardner

SYNOPSIS OF GRIEVANCE APPEAL

The initial complaint by inmate Rosenblum was that Deputy Blacskton allowed him to be assaulted by another inmate. The supplemental complaint received October 1, 2017 made the same allegation with the addition that Rosenblum felt he was being slandered and harassed by other inmates in his housing location.

STAFF RESPONSE TO GRIEVANCE APPEAL

On August 28, 2017 at about 0610 hours, inmate Rosenblum was involved in a fight with another inmate, then refused to comply with deputies orders to stop fighting, which required the deputies to use force on the inmates to stop the fight and restore order. A review of the use of force was conducted and the amount of force used was found to be reasonable, necessary, and within department policy.

In this complaint inmate Rosenblum is accusing jail staff of an "institutional cover-up", that he was assaulted at the direction of jail staff, and then denied medical treatment after the incident. Additionally, he is complaining that other inmates are slandering his name and harassing him. After reviewing all the reports and video recordings, and performing a management review of this incident, I feel Rosenblum's first complaint is completely unsubstantiated. I also found his second complaint to be vague, speculative, and without merit. I recommend no further action be taken regarding this grievance other than a notice of disposition being provided to inmate Rosenblum.

Phillip Rosenblum BF-0331
Corcoran State Prison (3a-04-208)
P.O. Box 3461
Corcoran Co. 93217

CORCORAN
STATE PRISON



U.S. POSTAGE PITNEY BOWES
ZIP 93212 \$ 002.05⁰
02 1W
0001386349 MAY 25 2018



LEGAL MAIL

LEGAL MAIL



Attn: Clerk of Court for the
United States District Court
Central District of California
312 N. Spring St. Room 6-8
Los Angeles CA, 90012

LEGAL MAIL

32

9/11/18 7:23 PM